

STATEMENT OF BASIS (AI No. 118193)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0118893 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: ExxonMobil Refining & Supply Company
Bankston's Ditch Area
4045 Scenic Highway
Baton Rouge, Louisiana 70805

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Michelle Bickham

DATE PREPARED: February 16, 2009

1. PERMIT STATUS**A. Reason For Permit Action:**

Permit reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term

B. LPDES permits – LA0118893
LPDES permit effective date: April 1, 2004
LPDES permit expiration date: March 31, 2009

C. Date Application Received: September 29, 2008

2. FACILITY INFORMATION**A. FACILITY TYPE/ACTIVITY - inactive coke terminal remediation area**

ExxonMobil Refining & Supply Company, Bankston's Ditch Area is an inactive portion of a coke terminal located next to an existing coke terminal. This inactive area was purchased by ExxonMobil and subsequently found to have elevated pH levels due to the presence of spent soda ash from historical facility operations (prior to ExxonMobil ownership). Naturally occurring groundwater seepage from this area as well as stormwater runoff and previously monitored effluent (covered under LA0065056) from the adjacent coke terminal represents the flow in Bankston's Ditch.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: I **
3. Wastewater Type: III
4. SIC code: 4953

**The complexity type has been BPJ'ed to I because the facility is only discharging groundwater seepage and stormwater runoff.

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C. LOCATION - western end of Gulf States Utility Road at River Mile 233 on the Mississippi River, Baton Rouge, East Baton Rouge Parish (Latitude 30° 29' 37", Longitude 91° 11' 08")

3. OUTFALL INFORMATION

Outfall 001

Discharge Type: groundwater seepage, stormwater runoff, and previously monitored effluent from an adjacent coke terminal
Treatment: none (effluent from LA0065056 is treated by settling pond prior to commingling)
Location: at the point of discharge from the Bankston's Ditch culvert **NOTE: when the Mississippi River is too high to obtain a sample from Outfall 001, a sample shall be taken 250 feet east of the original sample point location
Flow: 694,400 gpd
Discharge Route: directly to the Mississippi River

4. RECEIVING WATERS

STREAM - Mississippi River

BASIN AND SEGMENT - Mississippi River Basin, Segment 070301 *The facility is located in Segment 070504 but discharges to Segment 070301.

DESIGNATED USES -
a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife
d. drinking water supply

5. TMDL STATUS

Subsegment 070301 is not listed on LDEQ's Final 2006 303(d) List as impaired, and to date no TMDL's have been established. A recopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

No changes were made from the previous permit.

7. COMPLIANCE HISTORY/COMMENTS

There have been no recent inspections at the facility.

DMR Review -

A review of DMR's for the last two years showed that all DMR's were submitted in accordance with the existing permit. There were no excursions found.

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8. EXISTING EFFLUENT LIMITS

Outfall 001 – groundwater seepage, stormwater runoff, and previously monitored effluent from an adjacent coke terminal

Parameter	LPDES	
	Monthly Average	Daily Maximum
Flow	Report 1/month Est.	Report 1/month Est.
TOC	---	50 mg/L 1/month Grab
Oil & Grease	---	15 mg/L 1/month Grab
pH	6.0-10.0 s.u. 1/month Grab	

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon and Fat Pocketbook Pearly Mussel, which are listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon and Fat Pocketbook Pearly Mussel. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

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11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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Rationale for ExxonMobil Refining & Supply Company

1. **Outfall 001** - groundwater seepage, stormwater runoff, and previously monitored effluent from an adjacent coke terminal (estimated flow is 694,400 gpd)

Pollutant	Limitation		Reference
	Monthly Avg	Daily Max	
	mg/L		
Flow	Report	Report	BPJ; previous permit; *
TOC	---	50	BPJ; previous permit; *
Oil & Grease	---	15	BPJ; previous permit; *
pH	6 s.u.	10 s.u.	BPJ; previous permit; *

Treatment: none (effluent from LA0065056 is treated by settling pond prior to commingling)

Monitoring Frequency: 1/month for all parameters at the point of discharge from the Bankston's ditch culvert **NOTE: When the Mississippi River is too high to obtain a sample from Outfall 001, a sample shall be taken 250 feet east of the original sample point location.

Limits Justification: Limits and monitoring frequencies based on BPJ, the previous permit, and on current guidance for discharges of these types of wastewaters from similar facilities. The pH limitations of 6.0 – 10.0 are being retained on the outfall because the facility is still remediating the groundwater seepage. There should be no discernable water quality impact on the receiving stream because of the large volume of water in the Mississippi River. Effluent from the adjacent facility has limits for the following parameters: TOC, TSS, Oil and Grease, and Total Phenols.

* Existing permits for similar outfalls

BPJ Best Professional Judgement

su Standard Units

NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

As per LAC 33:IX.2511.B.14.a-k, storm water discharges from facilities classified as SIC code 4953 are not considered to be associated with industrial activities. Therefore, and SWP3 is not included in the permit.